



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

LCC:ddj  
Docket No: 387-00  
29 August 2000

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

[REDACTED]

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 29 August 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CMC memorandum 1400/3 MMPR-2 of 28 July 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director

Enclosure



DEPARTMENT OF THE NAVY  
HEADQUARTERS UNITED STATES MARINE CORPS  
MANPOWER AND RESERVE AFFAIRS DEPARTMENT  
HARRY LEE HALL, 17 LEJEUNE ROAD  
QUANTICO, VIRGINIA 22134-5104

IN REPLY REFER TO:

1400/3

MMPR-2

28 Jul 00

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS

Subj: ADVISORY OPINION IN THE CASE OF [REDACTED]  
052 22 3989 RETIRED MARINE

1. [REDACTED], a retired Marine, requests correction of his military service records to reflect that he was retired at the grade of staff sergeant vice sergeant. He feels that he should have retired at the highest grade he held while serving in the Marine Corps.

2. Records show that [REDACTED] was promoted to staff sergeant (Temporary) on 1 March 1952, but was subsequently reduced to sergeant on 28 October 1952 by a summary court-martial. Therefore he did not serve satisfactorily as a staff sergeant. His retirement on 1 January 1960 in the grade of sergeant is correct. We recommend his petition be denied.

[REDACTED]  
Assistant Head, Enlisted Promotions  
Promotion Branch  
By direction of  
the Commandant of the Marine Corps